



JUN 03 2003  
U.S. PATENT & TRADEMARK OFFICE

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
*See 37 CFR 1.27.*
3.  Specification [Total Pages **15**]   
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets **6** ]
5. Oath or Declaration [ Total Pages **1** ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d)) *(for continuation/divisional with Box 18 completed)*
  - i.  **DELETION OF INVENTOR(S)**  
*Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).*
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. COMMUNICATION ADDRESS					
<input checked="" type="checkbox"/>	Customer Number or Bar Code Label				<input type="checkbox"/> Correspondence address below
Name	Jeffrey A. Haeblerlin, Esq. 2500 Brown & Williamson Tower				
Address					
City	Louisville	State	Kentucky	Zip Code	40202
Country	USA	Telephone	(502) 584-1135		Fax (502) 561-0442

Name (Print/Type)	Jeffrey A. Haeblerlin	Registration No. (Attorney/Agent)	40,630
Signature		Date	05/25/2001

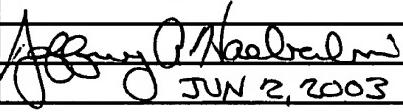
Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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<b>TRANSMITTAL FORM</b>		Application Number	09/865,833
		Filing Date	05/25/2001
		First Named Inventor	Plunk, Carlton
		Art Unit	2875
		Examiner Name	Negron, Ismael
JUN 03 2003 (used for all correspondence after initial filing)		Attorney Docket Number	ZK522/00008
Number of Pages in This Submission		88	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Cover letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> File history
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) ..	<input type="checkbox"/> Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Complete file enclosed replaces lost file	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Jeffrey A. Haeberlin, Reg. No. 40,630
Signature	
Date	JUN 2, 2003

**CERTIFICATE OF TRANSMISSION/MAILING Express Mail**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

6/3/2003

Typed or printed	Pamela J. Hogan
Signature	
Date	6/3/2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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<b>FEES TRANSMITTAL</b> <b>for FY 2002</b>		<b>Complete if Known</b>		
		Application Number	09/865,833	
		Filing Date	05/25/2001	
		First Named Inventor	Plunk, Carlton	
		Examiner Name	Negron, Ismael	
		Group Art Unit	2875	
		Attorney Docket No.	ZK522/00008	
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)		80.00

<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>																																																																																																																																	
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. <b>ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for ex parte reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="2">**or number previously paid, if greater; For Reissues, see above</td> <td colspan="2">SUBTOTAL (3) (\$)</td> </tr> <tr> <td colspan="2"></td> <td colspan="2">0.00</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for ex parte reexamination	112	920*	112	920* Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	400	216	200 Extension for reply within second month	117	920	217	460 Extension for reply within third month	118	1,440	218	720 Extension for reply within fourth month	128	1,960	228	980 Extension for reply within fifth month	119	320	219	160 Notice of Appeal	120	320	220	160 Filing a brief in support of an appeal	121	280	221	140 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,280	241	640 Petition to revive - unintentional	142	1,280	242	640 Utility issue fee (or reissue)	143	460	243	230 Design issue fee	144	620	244	310 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Processing fee under 37 CFR 1.17(q)	126	180	126	180 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	179	740	279	370 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application	Other fee (specify) _____				**or number previously paid, if greater; 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Jeffrey A. Haeberlin	Registration No. (Attorney/Agent)	40,630
Signature	<i>Jeffrey A. Haeberlin</i>		Date 8/29/02

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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/865,833
		Filing Date	05/25/2001
		First Named Inventor	Plunk, Carlton
		Group Art Unit	2875
		Examiner Name	Negron, Ismael
Total Number of Pages in This Submission	32	Attorney Docket Number	ZK522/00008

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply:	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

Fee determination  
Revised Declaration

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey A. Haeberlin, Reg. No. 40,630
Signature	
Date	AUG. 29, 2002

## CERTIFICATE OF MAILING FAXED

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8-29-2002

Typed or printed name	Pamela J. Hogan		
Signature		Date	8-29-2002

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JUN 03 2003

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision.*

TOTAL AMOUNT OF PAYMENT	(S) 1,018.00
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## Complete If Known

Application Number	
Filing Date	
First Named Inventor	PLUNK
Examiner Name	
Group Art Unit	
Attorney Docket No.	ZK522/00008

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) **(S) 710.00**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20** = 6	x 18	= 108.00
Independent Claims	5 - 3** = 2	x 80	= 160.00
Multiple Dependent			

### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 8 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(S) 268.00**

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (S) 40.00**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Jeffrey A. Haeberlein	Registration No. (Attorney/Agent)	40,630	Telephone	(502) 584-1135
Signature	<i>Jeffrey A. Haeberlein</i>				
		Date	05/25/2001		

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 84.00)

## Complete if Known

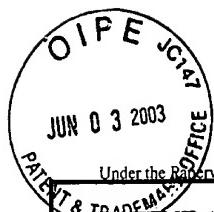
Application Number	09/865,833
Filing Date	05/25/2001
First Named Inventor	Plunk, Carlton
Examiner Name	Negrón, Ismael
Art Unit	2875
Attorney Docket No.	ZK522/00008

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)			
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number <input type="text"/> Deposit Account Name <input type="text"/>				<b>3. ADDITIONAL FEES</b> Large Entity      Small Entity			
				<b>Fee Code (\$)</b>	<b>Fee Code (\$)</b>	<b>Fee Description</b>	
				1051	130	2051 65 Surcharge - late filing fee or oath	<input type="text"/>
				1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
				1053	130	1053 130 Non-English specification	<input type="text"/>
				1812	2,520	1812 2,520 For filing a request for ex parte reexamination	<input type="text"/>
				1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
				1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
				1251	110	2251 55 Extension for reply within first month	<input type="text"/>
				1252	410	2252 205 Extension for reply within second month	<input type="text"/>
				1253	930	2253 465 Extension for reply within third month	<input type="text"/>
				1254	1,450	2254 725 Extension for reply within fourth month	<input type="text"/>
				1255	1,970	2255 985 Extension for reply within fifth month	<input type="text"/>
				1401	320	2401 160 Notice of Appeal	<input type="text"/>
				1402	320	2402 160 Filing a brief in support of an appeal	<input type="text"/>
				1403	280	2403 140 Request for oral hearing	<input type="text"/>
				1451	1,510	1451 1,510 Petition to institute a public use proceeding	<input type="text"/>
				1452	110	2452 55 Petition to revive - unavoidable	<input type="text"/>
				1453	1,300	2453 650 Petition to revive - unintentional	<input type="text"/>
				1501	1,300	2501 650 Utility issue fee (or reissue)	<input type="text"/>
				1502	470	2502 235 Design issue fee	<input type="text"/>
				1503	630	2503 315 Plant issue fee	<input type="text"/>
				1460	130	1460 130 Petitions to the Commissioner	<input type="text"/>
				1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>
				1806	180	1806 180 Submission of Information Disclosure Stmt	<input type="text"/>
				8021	40	8021 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
				1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
				1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>
				1801	750	2801 375 Request for Continued Examination (RCE)	<input type="text"/>
				1802	900	1802 900 Request for expedited examination of a design application	<input type="text"/>
				Other fee (specify) _____			
				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	<input type="text"/>
SUBTOTAL (2) (\$ 84.00)							
*or number previously paid, if greater; For Reissues, see above							

SUBMITTED BY					(Complete if applicable)	
Name (Print/Type)	Jeffrey A. Haeberlin		Registration No. (Attorney/Agent)	40,630	Telephone	502-584-1135
Signature			Date	JUN 2, 2003		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



PTO/SB/06 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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## PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

ZK522-00008

CLAIMS AS FILED - PART I (Column 1) (Column 2)			SMALL ENTITY	OTHER THAN SMALL ENTITY
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEES
BASIC FEE (37 CFR 1.16(a))			\$ 710	
TOTAL CLAIMS (37 CFR 1.16(c))	26	minus 20 = * 6	x \$ ___ =	\$ 710
INDEPENDENT CLAIMS (37 CFR 1.16(b))	5	minus 3 = * 2	x ___ =	108
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			+ ___ =	160
			TOTAL	978
* If the difference in column 1 is less than zero, enter "0" in column 2				
CLAIMS AS AMENDED - PART II (Column 1) (Column 2) (Column 3)			SMALL ENTITY	OTHER THAN SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ADDITIONAL FEE
	Total (37 CFR 1.16(c))	* 18	Minus	** 20 = 0
Independent (37 CFR 1.16(b))	* 6	Minus	*** 5 = 1	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			TOTAL ADDIT. FEE	84
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	** =
Independent (37 CFR 1.16(b))	*	Minus	*** =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			TOTAL ADDIT. FEE	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	** =
Independent (37 CFR 1.16(b))	*	Minus	*** =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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Louisville, Kentucky  
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Pamela J. Hogan  
[phogan@middreut.com](mailto:phogan@middreut.com)  
Direct tel (502) 625-2820  
Direct fax: (502) 588-1974



06-04-03

June 3, 2003

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage as Express Mail, in an overnight letter envelope addressed to:

Mail Stop Reconstruction  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No. EV100712785US  
Date of Deposit: 06/03/2003

*Pamela J. Hogan*  
Pamela J. Hogan

EV100712785US

**RE: GENLYTE THOMAS GROUP LLC**  
Title: Retrofit Recessed Fluorescent Strip Fixture and Method  
Serial No. 09/865,833; filed 05/25/2001  
Art Unit. 2875  
Day-Brite Division  
Our Ref.: ZK522-00008

Dear Mr. Negron:

Pursuant to our telephone conversation of yesterday, enclosed please find a copy of our prosecution file, which should assist you in reconstructing the missing file. Also enclosed please find the fee transmittal and credit card forms for an additional claim that was added in our August 29<sup>th</sup> Amendment.

If you have any questions or concerns, please call.

Sincerely,  
MIDDLETON REUTLINGER

*Pamela J. Hogan*

Pamela J. Hogan  
Intellectual Property Assistant

/pjh  
Enclosures

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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/865,833	05/25/2001	Carlton Plunk	ZKS22/00008

CONFIRMATION NO. 5838

22884  
MIDDLETON & REUTLINGER  
2500 BROWN & WILLIAMSON TOWER  
LOUISVILLE, KY 40202



\*OC00000007195227\*

Title: Retrofit recessed fluorescent strip fixture and method

Publication No. US-2001-0050850-A1

Publication Date: 12/13/2001

Date Mailed: 12/14/2001

**NOTICE OF PUBLICATION OF APPLICATION**

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.



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JUN 03 2003  
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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/865,833	05/25/2001	2875	978	ZK522/00008	6	26	5

22884  
MIDDLETON & REUTLINGER  
2500 BROWN & WILLIAMSON TOWER  
LOUISVILLE, KY 40202

CONFIRMATION NO. 5838

FILING RECEIPT



\*OC000000006349123\*

Date Mailed: 07/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Carlton Plunk, Saltillo, MS; ✓

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/209,925 06/07/2000 ✓

Foreign Applications

If Required, Foreign Filing License Granted 07/26/2001 ✓

Projected Publication Date: 12/13/2001 ✓

Non-Publication Request: No

Early Publication Request: No

Title

Retrofit recessed fluorescent strip fixture and method

Preliminary Class

362

Data entry by : GEREMEW, FIKIRTE

Team : OIPE

Date: 07/26/2001



ZK522 031008  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
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Washington, D.C. 20231

AUGUST 15, 2001

PTAS

MIDDLETON REUTLINGER  
JEFFREY A. HAEBERLIN, ESQ.  
2500 BROWN & WILLIAMSON TOWER  
LOUISVILLE, KENTUCKY 40202



\*101739257A\*

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RECORDATION DATE: 05/25/2001

REEL/FRAME: 011853/0620  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
PLUNK, CARLTON

DOC DATE: 05/23/2001 ✓

ASSIGNEE:  
GENLYTE THOMAS GROUP LLC A DE. ✓  
LIMITED LIABILITY COMPANY  
4360 BROWNSBORO ROAD, SUITE 300 ✓  
LOUISVILLE, KENTUCKY 40207 ✓

SERIAL NUMBER: 09865833  
PATENT NUMBER:

FILING DATE: 05/25/2001 ✓  
ISSUE DATE:

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Page 2 of 3

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**TO:** Name: Ismael Negron, Examiner

**Address:** U.S. Patent and Trademark Office

**Fax #** 703-746-4764

**Date:** August 29, 2002

**Time:**

**FROM:** Name: Pamela J. Hogan

**NUMBER OF PAGES (including cover sheet):** 33

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**RE:** Application of Plunk  
U.S. Serial No. 09/865,833; Filed 05/25/2001  
For: RETROFIT RECESSED FLUORESCENT STRIP AND METHOD  
Our Ref. No. ZK522/00008

**REMARKS:** This facsimile is in response to the Office Action mailed June 5, 2002. Pursuant to our telephone conversation of yesterday, our credit card payment follows this cover sheet along with the following documents.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are facsimile-transmitted to the Patent and Trademark Office on the date shown below.

- 1) Transmittal Form (PTO/SB/21)
- 2) Fee Transmittal (PTO/SB/17)
- 3) Credit Card Information (PTO-2038)
- 4) Fee Determination (PTO/SB/06)
- 5) Reply A, With Amendment, Under Rule 111 (21 pages)
- 6) Drawings (6 pages)

Pamela J. Hogan  
Intellectual Property Assistant  
Person Signing

*Pamela J. Hogan*  
Signature

8-29-2002  
Date



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2500 Brown & Williamson Tower  
Louisville, Kentucky 40202-3410  
Main Tel (502) 584-1135; Direct Tel (502) 625-2753  
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**TO:** Name: Examiner Ismael Negron  
**Address:** U.S Patent Office  
**Fax #** (703)746-4764  
**Date:** August 22, 2002                   **Time:**  
**FROM:** Name: Jeffrey A. Haeberlin  
**NUMBER OF PAGES (including cover sheet):** 20

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**RE:** Application No. 09/865,833

In preparation for our personal interview, scheduled for 10:00 a.m. on Friday, August, 23, 2002 (tomorrow) attached is a Discussion Draft of a Reply to the current Office Action in the above application.

Please contact me at (502)625-2753 with any questions or comments you may have. Otherwise I look forward to our meeting tomorrow morning.

Jeff Haeberlin

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**TO:** Name: Sandra O'Shea, Supervisory Patent Examiner

**Address:** U.S. Patent & Trademark Office

Fax # 703-305-3594

**Date:** February 25, 2003

**Time:**

**FROM:** Name: Pamela J. Hogan, Intellectual Property Assistant

**NUMBER OF PAGES (including cover sheet):** 35

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**RE:** U.S. Serial No. 09/865,833, filed 05/25/2001

Application of Plunk

For: RETROFIT RECESSED FLUORESCENT STRIP AND METHOD

Atty. Dkt. No. ZK522/00008

Sandy, per your phone message today, I am faxing the amendment, which we faxed to the USPTO on August 29<sup>th</sup>. On the 29<sup>th</sup>, the Art Group fax number would not go through, so I called Customer Service for another number and was given 703-746-4764. The transmission appears to have gone through. Please call me tomorrow regarding this application. Thank you.

Regards,

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\*\*\*\*\*

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**TO:** Name: Ismael Negron, Examiner

**Address:** U.S. Patent and Trademark Office

**Fax #** 703-746-4764

**Date:** August 29, 2002

**Time:**

**FROM:** Name: Pamela J. Hogan

**NUMBER OF PAGES (including cover sheet):** 33

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**RE:** Application of Plunk

U.S. Serial No. 09/865,833; Filed 05/25/2001

For: RETROFIT RECESSED FLUORESCENT STRIP AND METHOD

Our Ref. No. ZK522/00008



\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

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TX/RX NO	2069
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CONNECTION ID	CP2
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RESULT	OK

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Direct Phone (502) 625-2820  
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Email: phogan@middreut.com

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TO: Name: Sandra O'Shea, Supervisory Patent Examiner

Address: U.S. Patent &amp; Trademark Office

Fax # 703-305-3594

Date: February 25, 2003

Time:

FROM: Name: Pamela J. Hogan, Intellectual Property Assistant

NUMBER OF PAGES (including cover sheet): 35

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RE: U.S. Serial No. 09/865,833, filed 05/25/2001  
Application of Plunk

ent by: DAYBRITE LIGHTING

601 841 5596;

08/20/02 10:24AM; **Jeffax** #461; Page 2/2

PTO/SB/01A (10-01)

Appr. or use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

JUN 03 2003

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention **RETROFIT RECESSED FLUORESCENT STRIP FIXTURE AND METHOD**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or  
 Application No. 09/865,833, filed on 05/25/2001,  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

Every error in the patent, which was corrected in the present application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

All statements made herein or my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one:	Given Name: Carlton	Family Name or Surname: Plunk		
Signature:	Date: 8-19-02			
Residence City:	Saltillo	State: Mississippi	Country: USA	Citizenship: USA
Mailing Address:	281 North 3 <sup>rd</sup> Avenue			
City:	Saltillo	State: Mississippi	Zip: 38866	Country: USA
Inventor two:	Given Name:	Family Name or Surname:		
Signature:	Date:			
Residence City:	State:	Country:	Citizenship:	
Mailing Address:				
City:	State:	Zip:	Citizenship:	

Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

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2. Fee Transmittal
3. Patent Application
4. Art
5. Declaration
6. Inventor Information Data
7. Recordation Form
8. Assignment
9. Copies of Patents
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05/25/01



CLIENT: Genlyte Thomas INVENTOR: Plunk  
TITLE: Retrofit Recessed Fluorescent Strip Fixture and  
Method

ATTY. JAH

S/N: \_\_\_\_\_ OUR REF. # ZK522/00008  
PROV.  UTILITY  DESIGN  USPN:  
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CLIENT: Genlyte Thomas INVENTOR: Plunk  
TITLE: Retrofit Recessed Fluorescent Strip Fixture and  
Method

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06-06-2001



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U.S. Department of Commerce  
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**PATENT**

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**TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).**

**Submission Type**

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05/25/01

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Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
05 23 2001

Name (line 1) Carlton Plunk

Name (line 2)

Execution Date  
Month Day Year

**Second Party**

Name (line 1)

Name (line 2)

Mark if additional names of receiving parties attached

Name (line 1) Genlyte Thomas Group LLC

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2) a Delaware Limited Liability Company

Address (line 1) 4360 Brownsboro Road, Suite 300

Address (line 2)

Address (line 3) Louisville  
City

Kentucky

40207

State/Country

Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Respondent Name and Address**

Area Code and Telephone Number (502) 584-1135

Name Jeffrey A. Haeberlin, Esq.

Address (line 1) MIDDLETON REUTLINGER

Address (line 2) 2500 Brown & Williamson Tower

Address (line 3) Louisville, Kentucky 40202

Address (line 4)

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Enter the total number of pages of the attached conveyance document including any attachments.

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**Application Number(s) or Patent Number(s)**

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

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Patent Application Number(s)

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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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**Patent Cooperation Treaty (PCT)**

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Enter the total number of properties involved.

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Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Jeffrey A. Haeberlin, Esq. Reg. #40630

05/25/2001

Name of Person Signing

Signature

Date

## **ASSIGNMENT**

WHEREAS, Carlton Plunk, residing at 281 North 3rd Avenue, Saltillo, MS 38866, USA (the "Inventor") has invented certain new and useful improvements in the Invention disclosed in an Application for United States Letters Patent entitled RETROFIT RECESSED FLUORESCENT STRIP FIXTURE AND METHOD and executed by the Inventor on even date herewith:

AND WHEREAS, **Genlyte Thomas Group LLC**, a Delaware Limited Liability Company, whose principal place of business is located at 4360 Brownsboro Road, Suite 300, Louisville, Kentucky 40207 (hereafter, together with any successors, legal representatives or assigns thereof, called "Assignee"), desires to acquire the entire right, title and interest in said Invention, said Application, and any United States and foreign patents to be obtained therefor:

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Inventor hereby sells, assigns and transfers his entire right, title and interest in said Invention, said Application, including any divisions, continuations, and continuations-in-part, and in and to any and all Letters Patent of the United States, and all countries foreign thereto, which may be granted or have been granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to the Inventor with respect to the filing of applications for patents or the securing of patents in the United States and countries foreign thereto, unto said Assignee:

AND THE INVENTOR HEREBY agrees to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense;

AND THE INVENTOR HEREBY authorizes and requests the United States Patent and Trademark Office, and any offices of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue any Letters Patent granted upon said Application and for said Invention to said Assignee.

Carlton Plunk

5-23-01

DATE

STATE OF MISSISSIPPI \_\_\_\_\_ )  
COUNTY OF Lee ) SS: \_\_\_\_\_ )

Subscribed, sworn and acknowledged before me by Carlton Plunk this 23<sup>rd</sup> day of May, 2001.  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JULY 31, 2003  
BONDED THRU STEGAL NOTARY SERVICE

by Carlton Frank Linsay day of May, 2001.  
Linda Carol Richardson  
Notary Public

### My commission expires

Prepared by:

Prepared by:  
Jeffrey A. Haebel, M.D., FRCR, FRCR

Jenney A. Haebellin, MIDDLETON RAUTLINGER  
401 S. 4<sup>th</sup> Ave. Ste. 2500, Louisville, KY 40202-2323

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(502)584-1135 Fax: (502)561-0442 E-mail: jhaeberlin@middlebury.com